

JAMAICA

No. 1 - 2009

I assent,

[L.S.]

(Sgd) Prof. Kenneth Q. Hall
Governor-General

February 18, 2009

AN ACT to Amend the Jury Act.

[*February 19, 2009*]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Jury (Amendment) Act, 2009, and shall be read and construed as one with the Jury Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title
and con-
struction.

2. Section 2 of the principal Act is amended by deleting subsection (1) and substituting therefor the following—

Amendment
of section 2
of principal
Act.

“ (1) Subject to subsections (2), (3) and (4), any person who resides in Jamaica and has attained the age of eighteen years but is under the age of seventy years, is qualified and liable to serve on juries if—

- (a) the person's name is on any current official list of electors for elections to the House of Representatives; or

- (b) the person is registered under section 17D of the Revenue Administration Act.”

Amendment
of section 7
of principal
Act.

3.—(1) Section 7 of the principal Act is amended by renumbering subsections (2) to (4) as subsections (4) to (6) and inserting the following as subsections (2) and (3)—

“ (2) The Registration Authority (as defined by section 17D of the Revenue Administration Act) shall, on or before the first day of February in each year, prepare and forward to the Chief Officer of Police in each parish, printed copies of a list containing the names in alphabetical order of persons in that parish who are registered under section 17D of the Revenue Administration Act (excluding persons who appear to it to be not qualified for, or exempt from, jury service pursuant to section 2).

(3) The lists referred to in subsection (4) shall be in such form and, in such numbers as may be prescribed, and shall contain the particulars required by or pursuant to this Act in respect of each such person.”

(2) Section 7(4) (as renumbered) of the principal Act is amended by deleting the words “the list” and substituting therefor the words “each list”.

(3) Section 7 (5) of the principal Act (as renumbered) is amended by deleting the words “Representation of the People (Interim Electoral Reform) Act” and substituting therefor the words “Electoral Commission (Interim) Act”.

Amendment
of section 9
of principal
Act.

4. Section 9 (3) of the principal Act is amended by deleting the words “the list” and substituting therefor the words “each list”.

Amendment
of section 16
of principal
Act.

5. Section 16 of the principal Act is amended—

- (a) in the marginal note by deleting the words “and issue *venire facias*”;
- (b) by deleting subsection (2).

6. Section 19 of the principal Act is amended—

Amendment
of section 19
of principal
Act.

- (a) in the marginal note, by deleting the words “*venire facias*” and substituting therefor the word “summons”;
- (b) in subsection (1), by deleting all the words appearing before the words “twenty-one days” and substituting therefor the words “The Registrar shall cause to be served on each of the jurors whose names are contained in the panel made up pursuant to section 18,”;
- (c) in subsection (6) by—
 - (i) deleting the words “Commissioner of Police” and substituting therefor the words “Registrar of the Supreme Court”;
 - (ii) inserting next after the words “Resident Magistrates’ Courts” the words “or by constables or such other persons as the Registrar considers fit”.

7. Section 20 of the principal Act is amended—

Amendment
of section 20
of principal
Act.

- (a) in the marginal note, by deleting the words “Commissioner of Police to send *venire facias*” and substituting therefor the words “Registrar to send jury list”;
- (b) by deleting subsection (1) and substituting therefor the following—

“ (1) In the case of Circuit Courts, other than the Circuit Court for the parishes of Kingston and St. Andrew, the Registrar shall, not less than ten days before the day on which the jurors forming a panel are required to attend the sitting of a Circuit Court, send a list of the names of the jurors forming the panel of that court to the Clerk thereof.”
- (c) in subsection (2), by deleting the words “*venire facias*” with the panel annexed for such Court” and substituting therefor the words “list of the names of the jurors forming the panel for that court”.

Amendment
of section 21
of principal
Act.

8. Section 21 of the principal Act is amended in subsection (2) by deleting the words “issue to the Commissioner of Police a writ of *venire facias* in respect thereof” and substituting therefor the words “cause the jurors making up the panel to be summoned”.

Amendment
of section 24
of principal
Act.

9. Section 24 of the principal Act is amended in subsection (4) by—

- (a) deleting the words “issue and deliver to the Commissioner of Police a special writ of *venire facias* requiring him to summon” and substituting therefor the words “cause to be summoned”;
- (b) deleting the words “and writ as if they were the panel and writ” and substituting therefor the words “as if it was the panel”.

Repeal of
section 27 of
principal
Act.

10. Section 27 of the principal Act is repealed.

Amendment
of section 28
of principal
Act.

11. Section 28 of the principal Act is amended by deleting the words “a writ of *venire facias* issued” and substituting therefor the words “the jurors summoned”.

Amendment
of section 29
of principal
Act.

12. Section 29 of the principal Act is amended by deleting the words “writ of *venire facias* from any cause fails to be executed” and substituting therefor the words “from any cause the jurors are not summoned”.

Repeal of
Schedule B
to principal
Act.

13. Schedule B to the principal Act is repealed.

Amendment
of Schedule C
to principal
Act.

14. Schedule C to the principal Act is amended—

- (a) in the Form of Summons to Juror, by deleting the words “Superintendent of Police for the parish of” and substituting therefor the words “Registrar of the Supreme Court”; and
- (b) in the Form of Sworn Return of Service of Jurors, by deleting the words “constables of the Jamaica Constabulary Force”.

Passed in the Senate this 25th day of July, 2008.

OSWALD G. HARDING, OJ, CD, QC,
President.

Passed in the House of Representatives this 13th day of January, 2009 with one (1) amendment.

DELROY CHUCK

Speaker.

On the 23rd day of January, 2009, the Senate agreed to the amendments made by the House of Representatives.

OSWALD G. HARDING, O.J., C.D., Q.C.

President.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.

Clerk to the Houses of Parliament.